

CODE ENFORCEMENT BOARD
Wednesday, October 2, 2019 at 10:00 a.m.
Intracoastal Room
Palm Coast City Hall
160 Lake Avenue, Palm Coast, Florida

BOARD MEMBERS PRESENT: Gennaro Arcomone, Kenneth Carruth, Andrew Dodzik, Norman Mugford, Jon Netts, Dean Roberts

BOARD MEMBERS EXCUSED: Larry Pulos

BOARD COUNSEL PRESENT: Mary Sneed

STAFF MEMBERS PRESENT: Code Enforcement Manager Grossman, Code Enforcement Supervisor Mendez, Code Enforcement Lead Romeo, Officers Hadden, Burton, Risch, Nunez, Stafford, Shelley, Code Enforcement Clerk Bill Wry, City Counsel Reischmann

- A. Call to Order and Pledge of Allegiance.**
The meeting was called to order at 10:00 a.m. by Mr. Mugford, followed by the Pledge of Allegiance.
- B. Roll Call and Determination of Quorum.**
Roll was called. A quorum was met with six (6) members present.
- C. Approval of the August 7, 2019 Meeting Minutes**
The Minutes were unanimously approved.
- D. Disclosure of Ex-Parte Communications.**
None to report.
- E. Swearing in of Respondents and Staff**
The respondents and staff who were present were sworn in by Mary Sneed, Counsel for the Code Board.
- F. Withdrawn Cases:**
 - AI# 3** CASE NO. 2019060565 - 3 *Senora Court*
 - AI# 7** CASE NO. 2019070360 - 52 *Sea Trail*
 - AI# 8** CASE NO. 2019071747 - 61 *Selma Trail*
 - AI# 12** CASE NO. 2019061681 - 25 *Webwood Place*
 - AI# 14** CASE NO. 2019071600 - 14 *White Feather Lane*
 - AI# 17** CASE NO. 2019061421 - 5 *Farragut Dive*
 - AI# 18** CASE NO. 2019060780 - 63 *Forest Hill Drive*
 - AI# 22** CASE NO. 2019080348 - 4 *East Bourne Lane*
 - AI# 25** CASE NO. 2019071301 - 87 *Karas Trail*
 - AI# 28** CASE NO. 2019031235 - 20 *Blyth Court*
 - AI# 29** CASE NO. 2019060719 - 10 *Cameo Court*
 - AI# 30** CASE NO. 2019060708 - 31 *Christopher Court South*
 - AI# 39** CASE NO. 2019061534 - 8 *Laramie Drive*
 - AI# 40** CASE NO. 2019030521 - 12 *Plateau Lane (A)*
 - AI# 41** CASE NO. 2019030527 - 12 *Plateau Lane (A)*
 - AI# 44** CASE NO. 2019050945 - 1 *Poinciana Lane*
 - AI# 47** CASE NO. 2019031526 - 43 *Price Lane*

AI# 50 CASE NO. 2019061518 - 12 Berkshire Lane
 AI# 52 CASE NO. 2019061519 - 25 Boxwood Lane
 AI# 54 CASE NO. 2019060559 - 43 Brice Lane
 AI# 55 CASE NO. 2019060336 - 8 Pine Haven Drive (B)
 AI# 57 CASE NO. 2019071683 - 6 Pine Hill Lane (B)
 AI# 58 CASE NO. 2019051733 - 50 Pony Express Drive
 AI# 59 CASE NO. 2019011041 - 21 Port Royal Drive

G. Continued Cases:

AI# 1 CASE NO. 2019020588 – 44 Faith Lane
 AI# 5 CASE NO. 2019061484 – 83 Royal Oak Drive
 AI# 79 CASE NO. 2019061362 – 87 Royal Oak Drive
 AI# 37 CASE NO. 2019060459 – 20 Palm Harbor Drive
 AI# 65 CASE NO. 2019060271 – 15 Palm Coast Resort Boulevard

1. AI# 49

CASE NO. 2019020870 MASSEY BR
City of Palm Coast vs. Sasha Martinez
36 Russman Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle/Trailer in Residential Dist.)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Lead Officer Romeo testified this is a Massey case and the property remains in violation. Pedro Martinez, brother of Respondent, presented his side. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$50.00 per day fine is imposed for the period of non-compliance from July 12, 2019 to July 18, 2019; totaling \$3,800.00; that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes	Mr. Mugford - Yes
Mr. Dodzik – Yes	Mr. Roberts - Yes
Mr. Netts – Yes	Mr. Arcamone - Yes

Motion unanimously carried.

2. AI# 23

CASE NO. 2019071593 RECURRING AN
City of Palm Coast vs. Christopher Hoyt & Jill Cicacci
17 Evansmill Lane
(Palm Coast Code Section 44-34(i) Parking in Median)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Christopher Hoyt, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondents were in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

3. AI# 19

CASE NO. 2019071908 RECURRING SB
City of Palm Coast vs. Denise Roehr
69 Forest Hill Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Denise Roehr, Respondent, presented her side.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Mr. Netts – Yes

Motion unanimously carried.

4. AI# 24

CASE NO. 2019071594 RECURRING AN
City of Palm Coast vs. Lily Kutik
2 Evansville Lane
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Lily Kutik - Hansen, Respondent, presented her side.

Mr. Dodzik moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

5. AI# 21

CASE NO. 2019060456 AN
City of Palm Coast vs. Real Sub LLC
836 Belle Terre Parkway
(Palm Coast Code Section 24-159(a) Swale Maintenance)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Lori Gregory, Property Manager, presented her side.

Mr. Roberts moved to find in this case that Respondents were in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

6. AI# 4

CASE NO. 2019011504 MH
City of Palm Coast vs. Chance LeBlanc & Tira LeBlanc
16 Rosecroft Lane
(Palm Coast Code Section 15-1-FBC-(a) 105.1 No Permit)

Code Enforcement Officer Hadden presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Hadden testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Tina LeBlanc, Respondent, presented her side.

Mr. Carruth moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation no later than thirty (30) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

7. AI# 62

CASE NO. 2019051453 SB
City of Palm Coast vs. Penny C. Gurganious.
1 Slingshot Court
(Palm Coast Code Section 44-33(b) Parking in Swale between 1 am & 6 am)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Penny Gurganious, Respondent, presented her side.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

8. AI# 2

CASE NO. 2019070297 RS
*City of Palm Coast vs. Steven W. Peters & Robbin F Amc
78 Esperanto Drive
(Palm Coast Code Section 15-1-FBC-(a)105.1 No Permit)*

Code Enforcement Officer Sagala presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Sagala testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Steven Peters, Respondent, presented his side.

Mr. Roberts moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

9. AI# 13

CASE NO. 2019071365 CR

City of Palm Coast vs. Thomas P. & Carole A. Cook
34 Wellhaven Lane
(Palm Coast Code Section 35-76 (d-2) Nuisance)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Risch testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs. Courtney Daigle, daughter of Respondents, presented her side.

Mr. Roberts moved to find in this case that Respondents were in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

10. AI# 34

CASE NO. 2019070611 RECURRING JS
City of Palm Coast vs Gulhan Kanier & Nancy Harned & Han Kanier
1 Fanwood Court
(Palm Coast Code Section 15-108 Weeds/Overgrowth.)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Stafford testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Han Kanier, Respondent, presented his side.

Mr. Arcamone moved to find in this case that Respondents are in violation of City Code as charged; that Respondents correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondents do not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesaid date; that Respondents are further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondents shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

11. AI# 56

CASE NO. 2019060338 REPEAT SB

City of Palm Coast vs. Kurt Lawrence

24 Pine Hill Lane

(Palm Coast Code Section 44-33(b) Parking in Swale between 1 am 7 6 am)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Burton testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs. Kurt Lawrence, Respondent, presented his side.

Mr. Carruth moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent brought the property into compliance on September 13, 2019; that a \$250.00 per day fine is imposed for the period of non-compliance from June 7, 2019 to September 6, 2019; totaling \$3,500.00. Respondent shall pay Administrative Costs to the City in the amount of \$70.50. Mr. Arcamone seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

12. AI# 27

CASE NO. 20190080285 RECURRING AN

City of Palm Coast vs. Hiram A. Miranda Sr. Life Estate

7 Zephyr Lily Trail

(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. Officer Nunez testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs. Inna Padilla, daughter of Respondent, presented her side.

Mr. Roberts moved to find in this case that Respondents were in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondents within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondents shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

13. AI# 16

CASE NO. 2019071544 BS
City of Palm Coast vs. Robert Robertson
11 Farmbrook Lane
(Palm Coast Code Section 44-34(d-2) Parking Boat/Trailer/RV)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Shelley testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs. Robert Robertson, Respondent, presented his side.

Mr. Dodzik moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than ten (10) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

14. AI# 9

CASE NO. 2019071095 **RECURRING** CR
City of Palm Coast vs. Jean Alice McMorrow
70 Rae Drive
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement

Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

15. AI# 10

CASE NO. 2019071096 RECURRING CR
City of Palm Coast vs. Jean Alice McMorrow
70 Rae Drive
(Palm Coast Code Section 15-110(a-3) No House Number)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than three (3) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

16. AI# 11

CASE NO. 2019071097 CR
City of Palm Coast vs. Jean Alice McMorrow
70 Rae Drive
(Palm Coast Code Section 41-11(a) Trash Containers)

Code Enforcement Officer Risch presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Risch testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than one (1) day after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforestated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

17. AI# 15

CASE NO. 2019071685 REPEAT BS
City of Palm Coast vs. Alan W. & Lynn M. Proud
32 Blakemore Drive
(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Officer Shelley presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Shelley testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violations; that the Respondent brought the property into compliance on July 27, 2019; that a \$150.00 fine will be imposed for the period of non-compliance on July 26, 2019. Respondent shall pay Administrative Costs in the amount of \$70.00. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

18. AI# 20

CASE NO. 2019060458 AN

City of Palm Coast vs. Harbor Federal Savings Bank c/o National Tax Search LLC)
746 Belle Terre Parkway
(Palm Coast Code Section 24-159(a) Swale Maintenance)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The evidence was shown to the Respondent. Officer Nunez testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

19. AI# 26

CASE NO. 2019071461 RECURRING SB
City of Palm Coast vs. Karen E. Saroken
34 Karat Path
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Nunez presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Nunez testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

20. AI# 31

CASE NO. 2019061697 REPEAT JS
City of Palm Coast vs. m. Weber LLC
94 Club House Drive
(Land Development Code 15-1-FBC-(a) 105.1 No Permit)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Stafford testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violations; that the Respondent brought the property into compliance on June 26, 2019; that a \$100.00 fine will be imposed for the period of non-compliance on June 27, 2019. Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

21. AI# 33

CASE NO. 2019030699 MASSEY JS
City of Palm Coast vs. John Barrett
44 Cooper Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Stafford testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from July 18, 2019 to October 1, 2019; totaling \$1,900; that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

22. AI# 35

CASE NO. 2019070475 REPEAT JS
City of Palm Coast vs. Johns F. Sedlesky Jr. & Nicole F. Cassaro
79 Florida Park Drive
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Stafford testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violations; that the Respondent brought the property into compliance on July 22, 2019; that a \$100.00 per day fine will be imposed for the period of non-compliance from July 9, 2019 to July 21, 2019; totaling \$1,300.00. Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

23. AI# 36

CASE NO. 2019070554 REPEAT JS
City of Palm Coast vs. Johns F. Sedlesky Jr. & Nicole F. Cassaro
79 Florida Park Drive
(Palm Coast Code Section 35-76(d-2) Nuisance-Accumulations)

Code Enforcement Officer Stafford presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Stafford testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same

violations; that the Respondent brought the property into compliance on September 8, 2019; that a \$50.00 per day fine will be imposed for the period of non-compliance from July 9, 2019 to September 7, 2019; totaling \$3,050.00. Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

24. AI# 38

CASE NO. 2019010170 BR
City of Palm Coast vs. Ramon L. Ortiz
32 Pine Crest Lane
(Palm Coast Code Section 17-58(e) No Registration for Abandoned/Foreclosed Property)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified this is a Massey case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged; that Respondent failed to correct the violation by the time specified for correction by the Code Enforcement Board in the Board’s Order entered into evidence in this case; that Respondent has not brought the property into compliance; that a \$25.00 per day fine is imposed for the period of non-compliance from June 27, 2019 to October 1, 2019; totaling \$2,425.00; that a fine of \$25.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. When the property comes into compliance, an Affidavit of Compliance will be issued. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

25. AI# 42

CASE NO. 2019050937 BR
City of Palm Coast vs. Russell A. & Nadina M. Williams
1 Poinciana Lane
(Palm Coast Code Section 15-108(h) Inoperable Vehicle)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

26. AI# 43

CASE NO. 2019050938 BR
City of Palm Coast vs. Russell A. & Nadina M. Williams
1 Poinciana Lane
(Palm Coast Code Section 15-108(h) Unlicensed Vehicle)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Netts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than five (5) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$50.00 will be imposed for each and every day the violation continues past the aforesated date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Roberts seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

27. AI# 45

CASE NO. 2019060801 **RECURRING** BR

City of Palm Coast vs. Scott A. & Donna M. Taylor

11 Porpoise Lane

(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle/Trailer in Residential Dist.)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Romeo testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Dodzik – Yes

Mr. Netts – Yes

Mr. Mugford - Yes

Mr. Roberts - Yes

Mr. Arcamone - Yes

Motion unanimously carried.

28. AI# 46

CASE NO. 2019060802 **RECURRING** BR

City of Palm Coast vs. Scott A. & Donna M. Taylor

11 Porpoise Lane

(Palm Coast Code Section 44-34(f) Improper Parking)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondent was not present. Lead Officer Romeo testified this is a recurring violation and the property is in compliance. Staff recommends a No Fine Standing Order – Recurring Violation and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation was corrected; that the violation recurred; that any violation of the same Code by Respondent within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes

Mr. Mugford - Yes

Mr. Dodzik – Yes
Mr. Netts – Yes
Motion unanimously carried.

Mr. Roberts - Yes
Mr. Arcamone - Yes

29. AI# 48

CASE NO. 2019060778 REPEAT BR
City of Palm Coast vs. Michael & Lisa Hale
33 Prince Anthony Lane
(Palm Coast Code Section 44-34(c) Parking of Commercial Vehicle/Trailer in Residential Dist.)

Code Enforcement Lead Officer Romeo presented case history, paperwork and photos into evidence. The Respondents were not present. Officer Romeo testified this is a repeat case and the property is in compliance. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violations; that the Respondent brought the property into compliance on June 13, 2019; that a \$100.00 fine will be imposed for the period of non-compliance on June 14, 2019. Respondent shall pay Administrative Costs in the amount of \$69.50. Mr. Carruth seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

30. AI# 51

CASE NO. 2019041433 SB
City of Palm Coast vs. Michael Rachlin
12 Berkshire Lane
(Palm Coast Code Section 15-108(g) Shed/Fence/Wall Maintenance)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Burton testified the property remains in violation. Staff recommends a Fine – Violation Order and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent is in violation of City Code as charged; that Respondent correct the violation no later than fifteen (15) days after this Order is entered in writing; that in the event the Respondent does not comply with the Order, a fine in the amount of \$25.00 will be imposed for each and every day the violation continues past the aforesaid date; that Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.00. Mr. Dodzik seconded the motion.

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

31. AI# 53

CASE NO. 2019071913 SB
City of Palm Coast vs. Christina Rose Fredricks
30 Brice Lane
(Palm Coast Code Section 15-108(d) Weeds/Overgrowth)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Burton testified this is a repeat case and the property remains in violation. Staff recommends a fine for the period of non-compliance and Administrative Costs.

Mr. Netts moved to find in this case that Respondent was in repeat violation of City Code as charged based on the Board’s prior Order entered against the same Respondent for the same violation; that Respondent has not brought the property into compliance as of October 1, 2019; that a \$3,200.00 fine is imposed; that a fine of \$50.00 per day shall continue to run until the property is brought into compliance and an Affidavit of Compliance has been filed by the Code Enforcement Officer. Respondent is further ordered to contact the Code Enforcement Officer to verify compliance with this Order. Respondent shall pay Administrative Costs to the City in the amount of \$69.50. Mr. Carruth seconded the motion

Roll was called:

Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes

Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes

Motion unanimously carried.

32. AI# 61

CASE NO. 2019070904 SB
City of Palm Coast vs. David Eric & Heather Rae Jordan
25 Seven Wonders Trail
(Palm Coast Code Section 44-34(b) Parking in Swale between 1 am & 6 am)

Code Enforcement Officer Burton presented case history, paperwork and photos into evidence. The Respondent was not present. Officer Burton testified the property is in compliance. Staff recommends a No Fine Standing Order and Administrative Costs.

Mr. Roberts moved to find in this case that Respondent was in violation of City Code as charged and failed to correct the violation by the time specified for correction by the Code Enforcement Officer; that the violation is now corrected; that any violation of the same Code by Respondent

within five (5) years of the date of the Order shall be treated as a repeat violation as defined by State Law for which a fine of up to \$5,000.00 per day may be imposed. Respondent shall pay Administrative Costs to the City in the amount of \$53.50. Mr. Carruth seconded the motion.

Roll was called:

**Mr. Carruth – Yes
Mr. Dodzik – Yes
Mr. Netts – Yes**

**Mr. Mugford - Yes
Mr. Roberts - Yes
Mr. Arcamone - Yes**

Motion unanimously carried.

OLD BUSINESS:

None to report.

NEW BUSINESS

Mr. Mugford informed the Board that an apology letter was sent to them from a Mr. George Sangster, who was scheduled to attend the August 7, 2019 meeting, but unintentionally missed it.

Code Board Attorney Mary Sneed spoke with the members of the Board regarding their sole responsibility to make rulings on cases brought before them. She suggested that they be careful not to cross the line by mediating cases. Ms. Sneed further recommended for the Board to inform respondents to speak with the code manager or code officer regarding any information they would like to obtain in relationship to their case.

ANNOUNCEMENT OF NEXT MEETING:

The next meeting of the Code Enforcement Board will be held on Wednesday, October 2, 2019 at 10:00 am.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:01 pm

Respectfully submitted,

Yvonne Robinson

**Yvonne Robinson
Secretary to the Board**

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact Human Resources, at 386-986-3720 at least 48 hours prior to the meeting or visit Palm Coast City Offices, 160 Lake Avenue, Palm Coast, FL 32164. If any person decides to appeal a decision made by the Code Enforcement Board with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made. The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

All pagers and cell phones are to remain OFF while the Code Enforcement Board hearing is in session.